

New Hearing Is Ordered In Spy Case

The Fourth Circuit Court of Appeals has ordered a new hearing into the case of an Estonian emigre, Erik Heine, who was accused by a Central Intelligence Agency secret agent of being a Soviet spy.

Object of the new hearing is to determine whether the CIA agent, Kurt Raus, was acting on the orders of a responsible official of the Agency or an "unauthorized underling."

Chief Judge Clement F. Haynsworth vacated an earlier ruling in Raus' favor and asked that the district court in Baltimore find out who in the CIA ordered Raus to accuse Heine of serving as a spy. He said the identity of this official need not be disclosed publicly.

The appellate judge, in a 15-page majority opinion filed Monday, upheld the lower court's finding that the CIA had the right to order Raus to carry out the campaign against Heine.

In the trial two years ago CIA Director Richard M. Helms acknowledged that Raus was an operative of the Agency and that the action against Heine was justified on the basis of information in the hands of the CIA.

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